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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79542

Yoshihiro SHIRAISHI, et al.

Appln. No.: 10/760,375

Group Art Unit: 3722

Confirmation No.: 9824

Examiner: Erica E. CADUGAN

Filed: January 21, 2004

For: MACHINE TOOL

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Election of Species Requirement, dated August 31, 2006. In response to the Examiner's requirement, Applicants elect Species I, Fig. 1, **with traverse**, for examination on the merits. Claims 1, 2, 9, 13, 8, 12, 11, 15, and 14, are readable on the elected species. For the following reasons, Applicants respectfully request that claims 3 and 10 also be examined with the claims of the elected species.

Applicants submit that the embodiments of Figs. 1 and 6 are not mutually exclusive. Instead, they are commonly directed to a machine tool having a machining head moving reciprocally along one axis, as opposed to the embodiments of Figs. 8 and 11-12, which are directed to a machine tool having a head movable along plural axes. Therefore, Applicants respectfully submit that the claims (3 and 10) directed to Fig. 6 should be examined together with those readable on the Fig. 1 embodiment. Further, there is no serious burden on the Office to examine these two additional claims.

Applicants submit that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

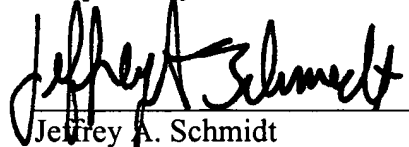
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Applicants reserve the right to file a Divisional Application directed to non-elected claims 4-7.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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Date: October 2, 2006